

HB0738



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0738

Introduced 2/7/2007, by Rep. Kevin Joyce

SYNOPSIS AS INTRODUCED:

625 ILCS 5/18c-7403

from Ch. 95 1/2, par. 18c-7403

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning railroad safety standards.

LRB095 10348 DRH 30563 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 18c-7403 as follows:

6 (625 ILCS 5/18c-7403) (from Ch. 95 1/2, par. 18c-7403)

7 Sec. 18c-7403. Enforcement and Waiver of Safety
8 Requirements.

9 (1) Enforcement. Except with regard to grade crossing
10 obstructions under Section 18c-7402 of this Chapter and ~~and~~
11 trespass on railroad rights of way and yards under Section
12 18c-7503 of this Chapter, jurisdiction to initiate actions to
13 enforce provisions of this Chapter is vested exclusively in the
14 Commission. Where a valid federal statute, regulation, or order
15 sets forth procedures or sanctions for violation of safety
16 standards, and such procedures or sanctions are preemptive of
17 state law, the Commission shall exercise its enforcement
18 jurisdiction under this Article in accordance therewith.
19 Otherwise, the provisions of this Chapter regarding
20 enforcement procedures and sanctions shall apply.

21 (2) Waiver. The Commission may waive any of the safety
22 requirements under this Article if continued adherence to the
23 requirement or requirements is not required for the safety of

1 railroad employees or the public.

2 (Source: P.A. 90-257, eff. 7-30-97.)